

**ASSEMBLY BILL**

**No. 731**

**Introduced by Assembly Member Spitzer**

February 19, 2003

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An act to amend Section 13146.2 of the Health and Safety Code, relating to fire safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 731, as introduced, Spitzer. Public safety: building inspections.

Existing law requires the State Fire Marshal to adopt, amend, and repeal rules and regulations for fire and panic safety in all hotels, motels, lodging houses, apartment houses and dwellings, buildings, and accessory structures. Existing law requires every city or county fire department or district providing fire protection services that is charged with enforcement of specified building standards and regulations to annually inspect these structures, except dwellings, for compliance.

This bill would instead require the inspection of defined apartment houses on a periodic basis, as determined by the fire department or district.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 13146.2 of the Health and Safety Code
- 2 is amended to read:
- 3 13146.2. (a) Every city or county fire department or district
- 4 providing fire protection services required by Sections 13145 and
- 5 13146 to enforce building standards adopted by the State Fire

1 Marshal and other regulations of the State Fire Marshal shall,  
2 annually, inspect all structures subject to subdivision (b) of Section  
3 17921, except dwellings *and apartment houses*, for compliance  
4 with building standards and other regulations of the State Fire  
5 Marshal. *The inspection of an apartment house shall occur on a*  
6 *periodic basis, as determined by the fire department or district on*  
7 *a basis necessary to protect the public health and safety.*

8 (b) A city, county, or district ~~which~~ *that* inspects a structure  
9 pursuant to subdivision (a) may charge and collect a fee for the  
10 inspection from the owner of the structure in an amount, as  
11 determined by the city, county, or district, sufficient to pay its costs  
12 of that inspection.

13 (c) *For purposes of this section, an “apartment house” means*  
14 *an apartment house in which each unit has a separate exit to the*  
15 *exterior of the apartment house.*

